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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,623	01/29/2002	Yutaka Ida	36856.609	5293

7590 03/01/2004

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EXAMINER

LEE, BENNY T

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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☐ This application has been examined. ☒ Responsive to communication filed on 8 Dec 2003 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire Thru (2) month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 12-33 are pending in the application.
Of the above, claims 13-22, 24-33 are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 12, 23 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____ Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☒ The proposed additional or substitute sheet(s) of drawings, filed on 8 Dec 2003, has (have) been ☒ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____, filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

Claims 13-22, 24-33 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 7.

The disclosure is objected to because of the following informalities: At pages 3-10 of the specification, in the "summary of the invention", it is again requested that the summary be rewritten to be reflective of the invention currently elected. Also, note that the following reference labels need description to the corresponding figure description in which they appear: Figs. 6, 9 (43); Fig. 13 (90); Fig. 15 (107, 108, 109); Fig. 20 (102). Appropriate correction is required.

The drawings are objected to because in Figs. 1, 3, 4, 6, 7, 9-15, 16D, 17-20, 23, 25-27, note that the dielectric layers in these sectional views still need to be properly cross-hatched to be reflective of dielectric material. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 12; 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Richards et al (of record) for reasons of record.

Applicant's arguments filed 8 December 2003 have been fully considered but they are not persuasive.

Applicants' have requested rejoinder of dependent claims 13-22 & 24-33 with the elected independent claims 12, 23. Applicants' are advised that rejoinder is

Art Unit: 2817

inappropriate at this time in view of the fact that the elected claims remain unpatentable for reasons set forth below. However, upon a determination of patentability for independent claims 12, 23, then the issue of rejoinder of dependent claims will be taken up at that time.

Applicants' have argued that the required cross-hatching of the dielectric material should be used "where the material is an important feature of the invention" and hence declined to make the requested change. In view of applicants' comments, the examiner takes the position that the dielectric material(s) is indeed "an important feature" of the invention. Note that each of the indicated drawings depicts a cross-section view of the invention, and as such depicts the various structural aspects of the invention (e.g. conductive layer(s), dielectric layer(s), etc). Accordingly, it is critical to be able to distinguish between these different types of materials when viewing these drawings. Thus, if each different material was cross-hatched in a like manner, it would not be readily apparent that different material are depicted. Therefore, it is important that different types of cross-hatchings be used to properly denote the different materials in these cross-section views.

Applicants' have argued that reference label "43" has indeed been described at page 12 of the original specification and that reference labels (107, 108, 109) have been described at page 25 of the specification. Moreover, applicants' have requested clarification of reference label "10" with respect to "fig. 20". In response, the examiner notes that with respect to reference label "43", the description at page 25 pertains to "Fig. 1" and not "Figs. 6 & 9" as set forth in the objection. Note that with respect to

reference labels (107, 108, 109), the examiner is unable to find any reference to these reference labels at page 25 of the original disclosure as well as being unable to find any reference to these labels in the description of "Fig. 15". Finally, with respect to the objection to "fig. 20" the correct reference label not described should be --102-- instead of "10".

With respect to the rejection of claims 12, 23 based on the Richards et al reference, applicants' have argued that Richards et al does not disclose that the "line electrode" is a "single layer" as presented in the amended claims. In particular, applicants' point out that the cylindrical edge elements, being electroplated to the lateral edges of the microstrip line constitutes a "two layer" arrangement, which is not consistent with the amended "single layer" line electrode. The examiner having considered applicants' arguments finds them unpersuasive. Note that in each of claims 12 & 23, these claims recite, a "line electrode" and further recite "edge electrodes". Accordingly, a reasonable interpretation of these claim limitations is that the "line electrode" & "edge electrodes" are different elements or features. Moreover, note that in the last paragraph of each claim, applicants' recite that it is "the line electrode" (by itself and not in combination with the edge electrodes) which is defined "by only a single layer electrode". Accordingly, as evidence by fig. 14A of Richards et al, the microstrip line (corresponding to applicants' recited "line electrode) is clearly of "only" a "single layer electrode". Note that if it is applicants' intention to define that both the line electrode and the edge electrode are constitutes by a single layer, then such a limitation is not

Art Unit: 2817

reflected in the claims as presently amended. Accordingly the rejection of record is sustained.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Mansour (Fig. 3) discloses a "line electrode" (12) having "edge electrode" (14) at opposite edges of the line electrode.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Benny Lee at telephone number 571 272 1764.

B. Lee


BENNY T. LEE
PRIMARY EXAMINER
ART UNIT 2817